

WEDNESDAY, FEBRUARY 14, 1990

SIXTY-FIFTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Ronald Maurer, Rockvale Church of God, Rockvale, Tennessee.

Representative Fred Hobbs led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Webb was excused due to a death in the family.

REPORTS FROM STANDING COMMITTEES

AGRICULTURE COMMITTEE
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MR. SPEAKER: Your Agriculture Committee begs leave to report

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that we have carefully considered and recommend for passage: House Bill(s) No(s). 2202 (with amendment).

STALLINGS, Chairman.

Under the rules, House Bill(s) No(s). 2202 (with amendment); was/were transmitted to the Calendar and Rules Committee.

COMMERCE COMMITTEE

February 13, 1990

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1631, 1815 (with amendment), 1816 (with amendment) and 1817.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 1631, 1815 (with amendment), 1816 (with amendment) and 1817 was/were transmitted to the Calendar and Rules Committee.

EDUCATION COMMITTEE

February 13, 1990

MR. SPEAKER: Your Education Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1578 and 1699; for adoption: House Joint Resolution(s) No(s). 550.

DAVIDSON, Chairman.

Under the rules, House Bill(s) No(s). 1578 and 1699; also, House Joint Resolution(s) No(s). 550 was/were transmitted to the Calendar and Rules Committee.

FINANCE, WAYS AND MEANS COMMITTEE

February 13, 1990

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1565, 1697 (with amendment), 2004, 2127 and 2128.

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 1565, 1697 (with amendment), 2004, 2127 and 2128 was/were transmitted to the Calendar and Rules Committee.

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GOVERNMENT OPERATIONS COMMITTEE

February 13, 1990

MR. SPEAKER: Your Government Operations Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2125 (with amendment).

KING, Chairman.

Under the rules, House Bill(s) No(s). 2125 (with amendment) was/were transmitted to the Calendar and Rules Committee.

JUDICIARY COMMITTEE

February 13, 1990

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1502, 1592 (with amendment), 1644, 1660, 1880, 1882, 1899 (with amendment) and 2039 (with amendment); for adoption: House Joint Resolution(s) No(s). 555 and 583.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1703 and 1881 be referred to the Finance, Ways and Means Committee.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 1502, 1592 (with amendment), 1644, 1660, 1880, 1882, 1899 (with amendment) and 2039 (with amendment); also, House Joint Resolution(s) No(s). 555 and 583 was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1703 and 1881 to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE

February 13, 1990

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1275, 1564, 1586, 1637, 1745, 1759, 1770, 1788, 1797, 1837 (with amendment), 1849, 1866 (with amendment), 1892, 1904, 1954 and 2014; for adoption: House Resolution(s) No(s). 93; also, House Joint Resolution(s) No(s). 560.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1648, 1787, 1827 (with amendment), 1912, 1943, 2035 (with amendment) be referred to the Finance, Ways and Means Committee.

LOVE, Chairman.

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Under the rules, House Bill(s) No(s). 1275, 1564, 1586, 1637, 1745, 1759, 1770, 1788, 1797, 1837 (with amendment), 1849, 1866 (with amendment), 1892, 1904, 1954 and 2014; House Resolution(s) No(s). 93; House Joint Resolution(s) No(s). 560; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1648, 1787, 1827 (with amendment), 1912, 1943 and 2035 (with amendment) to the Finance, Ways and Means Committee.

TRANSPORTATION COMMITTEE

February 13, 1990

MR. SPEAKER: Your Transportation Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1917 and 1922; for adoption: House Joint Resolution(s) No(s). 596 and 597.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1980, 2221 and 2223 be referred to the Finance, Ways and Means Committee.

ROBB ROBINSON, Chairman.

Under the rules, House Bill(s) No(s). 1917 and 1922; also, House Joint Resolution(s) No(s). 596 and 597; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1980, 2221 and 2223 to the Finance, Ways and Means Committee.

REPORT OF COMMITTEE ON CALENDAR AND RULES

February 13, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Monday, February 19, 1990: House Bill(s) No(s). 1581, 1589, 1593, 1786, 1862, 1867 and 1936.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, February 19, 1990: House Bill(s) No(s). 1626, 1677, 1902, 1903 and 2045.

ENROLLED BILLS

February 13, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2057, 2118, 2197, 2324, 2334 and 2459; also, House Joint Resolution(s) No(s). 576, 577, 578, 579, 580, 582, 585, 586, 587, 590, 591, 592, 598, 601, 602, 614 and 616; and find same correctly enrolled and ready

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for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED
February 13, 1990

The Speaker announced that he had signed the following: House Bill(s) No(s). 2057, 2118, 2197, 2324, 2334 and 2459; also, House Joint Resolution(s) No(s). 576, 577, 578, 579, 580, 582, 585, 586, 587, 590, 591, 592, 598, 601, 602, 614 and 616.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
February 13, 1990

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 543, 546, 547, 548, 551, 556, 563, 564, 565 and 566; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

MESSAGE FROM THE SENATE
February 13, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 889, 1690, 1694, 1695, 1698, 1700, 1702, 1704, 1705, 1712, 1713, 1716 and 2336; also Senate Joint Resolution(s) No(s). 442 and 445; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
February 13, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1888, 1891, 1923 and 2013; also, House Joint Resolution(s) No(s). 532, 567, 569, 571, 572, 573, 581, 584, 594 and 604; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE
February 13, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2057, 2118, 2197, ~~2324~~, 2334 and 2459; also, House Joint Resolution(s) No(s). 576, 577, 578, 579, 580, 582, 585, 586, 587, 590, 591, 592, 598, 601, 602, 614 and 616; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

STANDING COMMITTEE REPORTS

CONSERVATION AND ENVIRONMENT COMMITTEE
February 14, 1990

MR. SPEAKER: Your Conservation and Environment Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1650.

HILLIS, Chairman.

Under the rules, House Bill(s) No(s). 1650 was/were transmitted to the Calendar and Rules Committee.

GENERAL WELFARE COMMITTEE
February 14, 1990

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1599 (with amendment), 1767 (with amendment) and 1886.

STARNES, Chairman.

Under the rules, House Bill(s) No(s). 1599 (with amendment), 1767 (with amendment) and 1886 was/were transmitted to the Calendar and Rules Committee.

LABOR AND CONSUMER AFFAIRS COMMITTEE
February 14, 1990

MR. SPEAKER: Your Labor and Consumer Affairs Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2061 (with amendment).

CHRIS TURNER, Chairman.

Under the rules, House Bill(s) No(s). 2061 (with amendment) was/were transmitted to the Calendar and Rules Committee.

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SIGNED
February 14, 1990

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 889, 1690, 1694, 1695, 1698, 1700, 1702, 1704, 1705, 1712, 1713, 1716 and 2336; also, Senate Joint Resolution(s) No(s). 442 and 445.

REPORT OF CHIEF ENGROSSING CLERK
February 14, 1990

MR SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1888, 1891, 1923, 2013, 2057, 2118, 2197, 2324, 2334 and 2459; and House Joint Resolution(s) No(s). 532, 567, 569, 571, 572, 573, 576, 577, 578, 579, 580, 581, 582, 584, 585, 586, 587, 590, 591, 592, 594, 598, 601, 602, 604, 614 and 616; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

RULES SUSPENDED

Rep. Pruitt moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 623 out of order, which motion prevailed.

House Joint Resolution No. 0623 -- Memorials, Recognition and Thanks -- Commends Capers Memorial CME Church for 158 years of spiritual service, by *Pruitt, *Dixon, *Turner L, *King, *Jones U, *Armstrong, *Jones R, *DeBerry, *Love, *Robinson C B.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pruitt, the resolution was adopted by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance,

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Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 0930 -- Election Laws -- Requires placement in certain offices of state government dispensers containing voter registration by mail forms. Amends TCA, Title 2, Ch. 2.**

Further consideration of House Bill No. 930, previously considered on April 25, 1989, January 9 and 31, 1990, at which time the bill was reset to the calendar for February 14, 1990.

Rep. Dixon moved that House Bill No. 930 be re-referred to the Calendar and Rules Committee, which motion prevailed.

House Bill No. 1744 -- Pulaski -- Changes qualifications of city recorder. Amends Chapter 711, Private Acts of 1949.

Further consideration of House Bill No. 1744, previously considered on April 25, 1989, January 29 and February 5, 1990, at which time the bill was reset to the calendar for February 14, 1990.

Rep. DePriest moved that House Bill No. 1744 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	53
Noes.	23
Present and not voting.	15

Representatives voting aye were: Anderson, Bell, Bivens, Buck, Cain, Callicott, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Duer, Gaia, Garrett, Good, Harrill, Haun, Head, Hillis, Hobbs, Holt, Hubbard, Huskey, Kent, Kisber, McAfee, McDaniel, Moody, Moore (Shelby), Napier, Niceley, Phillips, Pinion, Rhinehart, Ridgeway, Severance, Shirley, Sipes, Stallings, Ussery, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 53.

Representatives voting no were: Armstrong, Austin, Burchfield, Burnett, Byrd, DeBerry, Dixon, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Love, Moore (Lawrence), Peroulas, Pruitt, Robinson (Hamilton), Scruggs, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Williams -- 23.

Representatives present and not voting were: Bragg, Coffey, Davis (Knox), Givens, Gunnels, Halteman, Hassell, Henry (Putnam),

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Herron, Holcomb, Jackson, Naifeh, Nuber, Odom, Robinson
(Washington) -- 15.

A motion to reconsider was tabled.

House Bill No. 1584 -- Inheritance Laws -- Revises law on
distribution of estate of intestate child. Amends TCA 31-2-104.

Rep. Bivens moved that House Bill No. 1584 be reset to the
Calendar for Wednesday, March 7, 1990, which motion prevailed.

CONSENT CALENDAR

House Bill No. 2195 -- Stanton -- Replaces present charter.
Repeals Chapter 408, Private Acts of 1927, as amended.

House Bill No. 2233 -- Maury County -- Authorizes donations for
road work.

*Senate Joint Resolution No. 0449 -- Memorials, Condolence --
Honors memory of George Lewis Gibbs.

Senate Joint Resolution No. 0450 -- Memorials, Sports -- Honors
South Pittsburg High School football team on great season.

Senate Joint Resolution No. 0451 -- Memorials, Sports -- Honors
Rhea County High School football team on exemplary season.

Pursuant to Rule No. 50, Rep. Kisber moved that all House Bills
having companion Senate Bills and are on the Clerk's desk be
conformed and substituted for the appropriate House Bill, that all
Senate and House Bills on the Consent Calendar be passed on third
and final consideration, all House Resolutions and House Joint
Resolutions be adopted, and all Senate Joint Resolutions on the
Consent Calendar be concurred in, which motion prevailed by the
following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin,
Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott,
Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross,
Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox),
DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good,
Gunnets, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam),
Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard,
Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent,
Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore
(Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom,
Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway,
Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

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Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGES

*House Joint Resolution No. 0085 -- Memorials, Government Officials -- Calls for joint creation of a committee on black Tennesseans in higher education; directs such committee to annually report.

Senate Amendment No. 1

AMEND House Joint Resolution No. 85 by deleting the words "formally directs" in the first resolving clause and substituting instead the word "urges".

AND FURTHER AMEND by deleting the words and figures "on or before December 31, 1989, and on or before December 31, 1990".

Rep. Pruitt moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 85, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

*House Joint Resolution No. 0089 -- Tennessee Higher Education Commission -- Directs higher education commission to compile and publish certain information pertaining to role and status of blacks.

Senate Amendment No. 1

AMEND House Joint Resolution No. 89 by deleting the word "directed" in the first through the fifth resolving clauses and substituting the word "urged".

Rep. L. Turner (Shelby) moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 89, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

*House Joint Resolution No. 0180 -- Memorials, Government Officials -- Urges state board of education to include one half unit in government as requirement for high school diploma.

Senate Amendment No. 1

AMEND House Joint Resolution No. 180 by deleting the words "upgrade the high school curriculum to include" in the caption and substituting instead the words "consider including in the high school curriculum".

AND FURTHER AMEND by deleting the words "upgrade the high school curriculum in social studies to include" in the first resolving clause and substituting instead the words "consider including in the high school curriculum".

Rep. Halteman moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 180, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Dixon moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 626 out of order, which motion prevailed.

House Joint Resolution No. 0626 -- Memorials, Congress -- Honors Nelson Mandela as an anti-apartheid freedom fighter on his release from prison. by *Dixon, *Pruitt, *Jones R, *Gaia, *Cain, *Givens, *Turner L, *Burnett, *Nuber, *Williams K, Turner C.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Dixon, the resolution was adopted by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler,

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Whitson, Williams, Winningham, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 89.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Garrett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 622 out of order, which motion prevailed.

House Joint Resolution No. 0622 -- Memorials, Personal Occasion -- Honors Mr. and Mrs. E. K. Waller on fiftieth anniversary. by *Garrett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Garrett, the resolution was adopted by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Love moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 479 out of order, which motion prevailed.

Senate Joint Resolution No. 0479 -- Memorials, Public Service -- Recognizes student leadership conference for its role in developing leaders of tomorrow.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Love, the resolution was concurred in by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

Representatives present and not voting were: Naifeh -- 1.

A motion to reconsider was tabled.

BILL REFERRED

Rep. Naifeh moved that House Bill No. 1556 be recalled from the Judiciary Committee and referred to the State and Local Government Committee, which motion prevailed.

BILL REFERRED

Rep. Stallings moved that House Bill No. 1847 be recalled from the State and Local Government Committee and referred to the Agriculture Committee, which motion prevailed.

BILL REFERRED

Rep. Robinson (Washington) moved that House Bill No. 2455 be recalled from the State and Local Government Committee and referred to the Finance, Ways and Means Committee, which motion prevailed.

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BILL REFERRED

Rep. Robinson (Washington) moved that House Bill No. 2457 be recalled from the State and Local Government Committee and referred to the Transportation Committee, which motion prevailed.

RULES SUSPENDED

Rep. Dixon moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 628 out of order, which motion prevailed.

House Joint Resolution No. 0628 -- Memorials, Public Service -- Honors Alpha Phi Alpha fraternity and Dr. Edward W. Reed. by *Dixon, *King.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Dixon, the resolution was adopted by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Winningham, House Bill No. 564, a local bill being held on the desk, was withdrawn from the House.

On motion of Rep. Winningham, House Bill No. 565 was recalled from the Finance, Ways and Means Committee.

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On motion of Rep. Winningham, House Bill No. 565 was withdrawn from the House.

On motion of Rep. Winningham, House Bill No. 695, a local bill being held on the desk, was withdrawn from the House.

On motion of Rep. Severance, House Bill No. 1576 was recalled from the Transportation Committee.

On motion of Rep. Severance, House Bill No. 1576 was withdrawn from the House.

ANNOUNCEMENT

The Speaker clarified the policy on sponsor additions under Rule No. 43 as follows: No member may have his name added as sponsor to a measure which has already been acted on by the House and has passed out of control of that body, whether it be by substitution or final consideration.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1556: Rep(s). Bivens added as prime sponsor(s).

House Bill No. 1693: Rep(s). Kisber added as prime sponsor(s).

House Bill No. 1920: Rep(s). Givens added as sponsor(s).

House Bill No. 2370: Rep(s). Severance added as prime sponsor(s).

House Bill No. 2557: Rep(s). Peroulas added as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0615 -- Naming and Designating -- Designates March 1, 1990 as Role Reversal Day in the General Assembly. by *Dixon, *Pruitt, *Cain, *Givens.

The Speaker referred House Joint Resolution No. 615 to the Calendar and Rules Committee.

*House Joint Resolution No. 0617 -- Highway Signs -- Designates State Route 296 as Max Colditz Highway. by *Burnett.

The Speaker referred House Joint Resolution No. 617 to the Transportation Committee.

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*House Joint Resolution No. 0618 -- Highway Signs -- Designates SR 297 as "Bruno Gernt Highway". by *Burnett.

The Speaker referred House Joint Resolution No. 618 to the Transportation Committee.

House Joint Resolution No. 0619 -- Memorials, Public Service -- Honors Barbara M. Pitts. by *Phillips, *DePriest.

The Speaker referred House Joint Resolution No. 619 to the Calendar and Rules Committee.

House Joint Resolution No. 0621 -- Memorials, Sports -- Honors McKenzie High School cheerleaders. by *Herron, *Ridgeway.

The Speaker referred House Joint Resolution No. 621 to the Calendar and Rules Committee.

House Joint Resolution No. 0624 -- Memorials, Congratulations -- Honors Big Harpeth United Primitive Baptist Association on its 124th anniversary; declares "Big Harpeth Week". by *Pruitt, *Dixon, *Turner L, *Jones U, *Armstrong, *King, *Jones R, *DeBerry, *Love, *Robinson C B.

The Speaker referred House Joint Resolution No. 624 to the Calendar and Rules Committee.

House Joint Resolution No. 0627 -- Memorials, Retirement -- Honors Claude E. Gardner. by *Stallings, *Byrd, *Hillis, *McDaniel, *Halteman, *Naifeh, *Stamps, *Sipes.

The Speaker referred House Joint Resolution No. 627 to the Calendar and Rules Committee.

House Joint Resolution No. 0629 -- Memorials, Recognition and Thanks -- Honors National Black Methodist for Church Renewal Conference. by *Pruitt, *Love, *Robinson C B, *DeBerry, **Jones R, *Turner L, *King, *Armstrong, *Jones U.

The Speaker referred House Joint Resolution No. 629 to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Senate Joint Resolution No. 0453 -- Memorials, Sports -- Honors Sequatchie County High School football team.

The Speaker referred Senate Joint Resolution No. 453 to the Calendar and Rules Committee.

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Senate Joint Resolution No. 0454 -- Memorials, Condolence -- Honors memory of Garner Robinson.

The Speaker referred Senate Joint Resolution No. 454 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0456 -- Memorials, Congratulations -- Congratulates owner of John Henry Carothers House on naming to National Register of Historical Places.

The Speaker referred Senate Joint Resolution No. 456 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0461 -- Memorials, Condolence -- Honors memory of Reverend Charles Franklin Williams.

The Speaker referred Senate Joint Resolution No. 461 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0462 -- Memorials, Professional Achievement -- Commemorates 100th anniversary of The Ashland City Times.

The Speaker referred Senate Joint Resolution No. 462 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0467 -- Memorials, Public Service -- Honors Clyde S. Jones.

The Speaker referred Senate Joint Resolution No. 467 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0468 -- Memorials, Congratulations -- Honors Bethany Presbyterian Church Complex on placement in National Register of Historic Places.

The Speaker referred Senate Joint Resolution No. 468 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0472 -- Memorials, Sports -- Honors Carson-Newman football team, 1989 NAIA national champions.

The Speaker referred Senate Joint Resolution No. 472 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0475 -- Memorials, Personal Occasion -- Honors birth of Kyle Hamilton Reid.

The Speaker referred Senate Joint Resolution No. 475 to the Calendar and Rules Committee.

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RESOLUTIONS LYING OVER

*Senate Joint Resolution No. 0469 -- Naming and Designating -- Names Chapel in John Wilder Youth Department Center in honor of Floyd Ray Key.

The Speaker referred Senate Joint Resolution No. 469 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0470 -- Naming and Designating -- Proclaims November 11-17, 1990, as Week of Special Observance of Vietnam Veterans.

The Speaker referred Senate Joint Resolution No. 470 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 2580 -- Polk County -- Prohibits medical waste incinerators. by *Harrill.

Passed first consideration.

House Bill No. 2581 -- Bradley County -- Prohibits medical waste incinerators. by *Harrill, *Bivens.

Passed first consideration.

House Bill No. 2582 -- Taxes, Assessment -- Extends period of assessment ratio studies in Fentress County. Amends TCA, Title 67, Ch. 5, Pt. 16. by *Burnett.

Passed first consideration.

House Bill No. 2583 -- Taxes, Assessment -- Extends period of assessment ratio studies in Overtown county. Amends TCA, Title 67, Ch. 5, Pt. 16. by *Burnett.

Passed first consideration.

*House Bill No. 2584 -- Opticians -- Requires all optician apprentice applicants to send in fee with applications. Amends TCA, Title 63, Ch. 14, Pt. 1. by *Hassell.

Passed first consideration.

House Bill No. 2585 -- Smithville -- Allows certain persons to vote in municipal elections. Amends Chapter 486, Private Acts of 1941, as amended. by *Buck.

Passed first consideration.

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SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 1607** -- Correction, Dept. of -- Authorizes commissioner to confiscate certain items detrimental to security. Amends TCA, Title 4, Ch. 6.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1589.

***Senate Bill No. 1888** -- Wildlife Resources Commission -- Authorizes executive director to arrest for any criminal offense under certain conditions. Amends TCA 70-1-305.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2512.

***Senate Bill No. 2066** -- Handicapped Persons -- Permits deaf interpreters or dual party relay operators.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2177.

***Senate Bill No. 2143** -- Fees -- Deletes fee amount to file and record certified abstract of judgment or decree. Amends TCA 25-5-109.

Held on the Clerk's desk pending third consideration of companion House Bill No. 2028.

Senate Bill No. 2220 -- Banks and Financial Institutions -- Authorizes statewide branch banking; provides application approval procedure. Amends TCA, Title 45.

Held on the Clerk's desk pending third consideration of companion ***House Bill No. 1814**.

SENATE BILLS ON SECOND CONSIDERATION

***Senate Bill No. 2010** -- Utilities, Utility Districts -- Passed second consideration and referred to the State and Local Government Committee.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2576 -- Utilities, Utility Districts -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2577 -- Utilities, Utility Districts -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 2578** -- Food and Food Products -- Passed second consideration and referred to the Commerce Committee.

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House Bill No. 2579 -- Ripley -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**DELAYED BILLS
February 14, 1990**

Pursuant to Rule No. 78, the following was/were referred to the Delayed Bills Committee: House Bill(s) No(s). 2576 and 2577.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
February 14, 1990**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2410 and 2579.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 14, 1990**

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, February 15, 1990: House Joint Resolution(s) No(s). 619, 621, 624, 627 and 629; House Bill(s) No(s). 2410 and 2579; also, Senate Joint Resolution(s) No(s). 453, 454, 456, 461, 462, 467, 468, 472 and 475.

PHILLIPS, Chairman.

**ENGROSSED BILLS
February 14, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 623; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
February 14, 1990**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1744, 2195 and 2233; also, House Joint Resolution(s) No(s). 622, 626 and 628; and

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find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
February 14, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 622 and 623; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
February 14, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 612; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
February 14, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1628, 1824, 1829, 1858, 1893, 2110, 2164, 2177, 2269 and 2277; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 1628 -- Courts -- Provides funds for certain office supplies for certain district circuit courts. Amends TCA 16-2-506.**

***Senate Bill No. 1824 -- Courts, General Sessions -- Revises general sessions courts procedures and taxes. Amends TCA 16-15-5001, 5003, 5005--5008.**

***Senate Bill No. 1829 -- Motor Vehicles -- Defines "new car" under consumer protection law. Amends TCA, Title 47, Ch. 18.**

***Senate Bill No. 1858 -- Insurance, Health, Accident -- Revises Long-Term Care Insurance Act. Amends TCA, Title 56, Ch. 42.**

***Senate Bill No. 1893 -- Real Property -- Enacts Tennessee Time Share Resale Broker Act of 1990. Amends TCA, Title 66, Ch. 32.**

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Senate Bill No. 2110 -- Fees -- Revises fees for blood alcohol tests performed by TBI. Amends TCA, Title 38, Ch. 6.

***Senate Bill No. 2164 -- Criminal Procedure --** Permits drug prosecutions by Tennessee of persons tried in foreign state or under federal law. Amends TCA 53-11-413. Repeals TCA 53-11-404.

***Senate Bill No. 2177 -- Codes --** Adopts revised electrical safety code. Amends TCA 68-16-104.

***Senate Bill No. 2269 -- Courts, General Sessions --** Confers upon general sessions courts of certain counties same contempt power as courts of record. Amends TCA 16-15-713.

***Senate Bill No. 2277 -- Adoption --** Creates a waiver of interest in terminating rights of the father in certain adoption proceedings. Amends TCA, Title 36, Ch. 1, Pt. 1.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

On motion of Rep. Naifeh, the House adjourned until 9:00 a.m., Thursday, February 15, 1990.